

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

| | | |
|--------------------------------|---|-------------------------------|
| RALPH MCCLAIN, | : | Civil No. 1:19-cv-1951 |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | |
| | : | |
| PENNSYLVANIA DEPARTMENT | : | |
| OF CORRECTIONS, et al., | : | |
| | : | |
| Defendants. | : | Judge Sylvia H. Rambo |

ORDER

In accordance with the accompanying memorandum of law, IT IS HEREBY
ORDERED as follows:

- 1) The report and recommendation (Doc. 56) of the magistrate judge is
ADOPTED IN PART and DENIED IN PART;
- 2) Plaintiff's motion to amend his complaint (Doc. 43) is GRANTED; and
- 3) The Clerk of Court is DIRECTED to docket the second amended complaint
(Doc. 43-2, pp. 1-10) as the operative complaint in this matter;
- 4) And this case is REFERRED back to the magistrate judge for further pretrial
proceedings.

s/Sylvia H. Rambo
Sylvia H. Rambo
United States District Judge

Dated: November 9, 2021